

EXHIBIT 11

North Carolina Pattern Jury Instruction
Civil 101.46 – Definition of Intent (Intentionally)

N.C.P.I.—Civil 101.46
DEFINITION OF [INTENT] [INTENTIONALLY].
GENERAL CIVIL VOLUME
DECEMBER 2016

101.46 DEFINITION OF [INTENT] [INTENTIONALLY].

A person acts intentionally if *he* desires to cause the consequences of *his* act or believes that the consequences are substantially certain to occur.¹ Intent may be proven by direct evidence or inferred from the circumstances.²

¹ See, e.g., *Jones v. Willamette Indus.*, 120 N.C. App. 591, 594, 463 S.E.2d 294, 297 (1995); *State v. Alston*, 91 N.C. App. 707, 714, 373 S.E.2d 306, 312 (1988); *State v. Locklear*, 84 N.C. App. 637, 643-44, 353 S.E.2d 666, 670 (1987); *State v. Bright*, 78 N.C. App. 239, 243, 337 S.E.2d 87, 89 (1985).

² See, e.g., *Foster v. Hyman*, 197 N.C. 189, 192, 148 S.E.2d 36, 38 (1929) (alteration in original) (citation omitted in original) ("[T]he intention to inflict injury may be constructive. . . where the wrongdoer's conduct is so reckless or so manifestly indifferent to the consequences, where the safety of life or limb is involved, as to justify a finding of willfulness and wantonness equivalent in spirit to an actual intent.").